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DOCKET SECTION

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U.S. DEPARTMENT OF TRANSPORTATION DOCKETS
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**[Docket No. FAA-99-5927; Notice No. 99-12]
RIN 2120-AG73**

Federal Aviation Administration

August 24, 1999

Subject: Comments on "Notice of Proposed Rulemaking (NPRM):
**Commercial Air Tour Limitation in the Grand Canyon National Park Special
Flight Rules Area.**

During the early part of the 1980's sightseeing flights became popular over the Grand Canyon National Park. As the number of flights increased, two adverse effects became obvious; the risk of midair collisions increased and aircraft noise became objectionable. The FAA issued Special Federal Aviation Regulation (SFAR) No. 50 establishing special flight rules area and other flight regulations in the vicinity of the GCNP (52 FR 9768). These requirements were modified and extended by SFAR 50-1 (52 FR 22734; June 15, 1987). On May 27, 1988 the FAA issued SFAR No. 50-2, revising the procedures for aircraft operation in the airspace above the Grand canyon (53 FR 20264; June 2, 1988)

These rules substantially reduced the mid-air collision hazard and for all practical purposes eliminated the noise complaints. The "Report to Congress on Effects of Overflights on Visitor Enjoyment" published by the National Park Service in 1994, said in paragraph 6.5 that only 2 to 3 percent of all visitors report having their enjoyment interfered with, being annoyed, or having their appreciation of natural quiet interfered with by the sound of aircraft. Regrettably, this survey did not even include the nearly nine-hundred thousand visitors using aircraft!

Regrettably these results created a very complex regulatory maze and practically eradicated general aviation from a **one-hundred and forty mile long and ten to forty mile wide** area of the U.S. Traveling by a normally aspirated engine equipped average general aviation airplane over the SFAR 50-2 area is nearly impossible because those airplanes cannot climb above the 14,500 feet MSL ceiling of the SFAR. The person who wants to fly from Sedona, Arizona to Salt Lake City, Utah must plan a detour around the GCNP.

Even the SFAR 50-2 currently in effect is more restrictive, than required in the interest of

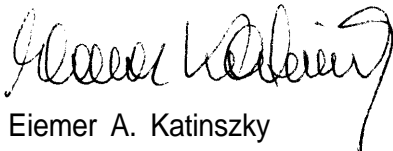
aviation safety and maintaining the GCNP's assets. One of those assets is the opportunity for visitors to see this park from the air. Nearly a million people every year vote in favor of that option with their money. The elderly, the handicapped, people with limited time and the physically unfit deserve the opportunity to see this magnificent site from the air. If we recognize the facts, that the commercial **airtours** do not damage the trails, throw no trash around and create noise only for a very short time, than that looks like the most environmentally proper form of visitation of the GCNP. Natural quiet is an instantaneously renewable resource - and nobody has to pay for it!

The opportunities for technical improvements - and there are many - cannot be pursued with the present policy of continuously stricter regulations. No tour operators are willing to risk investing scarce resources into a quiet, state of the art sightseeing tour airplane, when the sword of Damocles in the form of more draconian regulations hangs continuously over their head. As a consequence of this head-in-the sand regulatory philosophy most of the airplanes currently flying as touring airplanes are unfit for aerial touring. The highly modified Twin-Otter with its enlarged "Vistaliner" windows is the only example of an attempt to create a truly functional sightseeing airplane.

Those who oppose commercial flight tours in the GCNP under the aegis of Public Law 100-91 are simply chasing the rainbow and reveal their ignorance or total lack of practical sense. If one declares natural quiet as a noise level of twenty (20) **dB**, than that means banning every live human being from the park, because the presence of one means a noise level of **twenty-seven (27) dB**. The legislative process occasionally creates laws that are at best impractical and our representatives are perfectly capable to either amend or abolish them.

The proposed rules will not create appreciable improvement in the safety and enjoyment of the Grand Canyon National Park. It will threaten the livelihood of the tour operators. The Governor of the State of Arizona and the Arizona State Senate opposes these proposed rules.

This commenter opposes the introduction of the proposed rules and requests the FAA to retain the a/ready existing regulations.

A handwritten signature in black ink, appearing to read "Eiemer A. Katinszky". The signature is fluid and cursive, with a large loop at the end.

Eiemer A. Katinszky

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